

ZACHARY T. CARLYLE  
carlylez@sec.gov  
TERRY R. MILLER  
millerte@sec.gov  
SECURITIES AND EXCHANGE COMMISSION  
1961 Stout Street, 17th Floor  
Denver, Colorado 80294  
(303) 844-1000

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

- against -

ALPINE SECURITIES CORPORATION,

Defendant.

**17-cv-4179-DLC**

**NOTICE OF MOTION**

**ECF CASE**

Please take notice that, pursuant to Fed. R. Civ. P. 12(f), Plaintiff United States Securities and Exchange Commission (the “Commission”) moves this Court to strike Defendant Alpine Securities Corporation’s (“Alpine”) “Sixteenth Defense” and “Nineteenth Defense” asserted in Alpine’s Amended Answer (Doc. No. 48). The Commission has submitted a Memorandum of Law in support of its motion to strike.

Respectfully submitted this 13<sup>th</sup> day of November, 2017.

/s/ Terry R. Miller  
Zachary T. Carlyle (*pro hac*)  
Terry R. Miller (*pro hac*)  
Attorneys for Plaintiff  
UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION  
1961 Stout Street, 17th Floor  
Denver, Colorado 80294  
(303) 844-1000

**CERTIFICATE OF SERVICE**

I certify that on November 13, 2017, a copy of the foregoing document was served via ECF upon the following:

Brent R. Baker  
Aaron D. Lebenta  
Jonathan D. Bletzacker  
CLYDE SNOW & SESSIONS  
One Utah Center, 13th Floor  
201 South Main Street  
Salt Lake City, Utah 84111-2216

Mark Lee Smith  
Smith Correll, LLP  
11601 Wilshire Blvd., Suite 2080  
Los Angeles, CA 90025

Maranda E. Fritz  
Thompson Hine LLP (NYC)  
335 Madison Avenue, 12th Floor  
New York, NY 10017

*Counsel for Alpine Securities Corporation*

/s/ Marla J. Pinkston

Marla J. Pinkston